



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/527,138	03/16/2000	Wolfgang Thiel	P00.0173	1989

7590 01/28/2003

SCHIFF HARDIN & WAITE  
Patent Department  
6600 Sears Tower  
Chicago, IL 60606-6473

EXAMINER

WOO, RICHARD SUKYOON

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 01/28/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/527,138

Applicant(s)

THIEL, WOLFGANG

Examiner

Richard Woo

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

- 1) The cancellation of claim 8 is acknowledged.
- 2) Applicant's arguments filed on November 4, 2002 have been fully considered.

Although the amended claim 9 overcomes the rejections of Claim 9 under 35 USC 102 by Wright et al., Guenther and Guenther et al., they are moot in view of the new ground of rejection. The new ground of rejection is necessitated by Applicant's addition of a permanently installed NVM containing different carrier-specific data and different country specific data.

With respect to rejections under 35 U.S.C. 102 by Vanpoucke, Freytag and Märkl et al., the applicant asserted that the above cited references fails to previously store all the necessary sets of data in the device containing the processor, and then to select from among the previously-stored data by inserting the chip card, the examiner respectfully disagrees with the applicant. For example, Vanpoucke discloses the permanent memory including a destination country file containing characteristics specific to the country and relating to its identification both with respect to tariff and with respect to the documents specific to services for the country. Freytag shows the arrangement of country specific data stored in the permanent memory area **in the machine**. Märkl et al. discloses the similar memory means in the machine itself.

- 3) The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

***Claim Rejections - 35 USC § 102***

4) Claims 1-2, 7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Vanpoucke (US 5,262,939).

Vanpoucke discloses a method for entering contents of a franking imprint into a postage meter machine,

wherein the postage meter machine has: a printer (10-13); a microprocessor (3) connected to the reader; a non-volatile, non-removable memory (2) connected to the microprocessor, the non-volatile, non-removable memory containing memory areas for storing data for producing franking imprint; the microprocessor receiving data from the chip card reader from a chip card, the method comprising the steps of:

storing a set of data in a non-volatile, non-removable memory (2) of the postage meter machine by permanently programming the data at a manufacturing location (the data being country-specific data or different carrier-specific data);

installing a data communication interface (20);

configuring the franking imprint dependent on at least one of a selected carrier and a selected country;

installing a chip card reader as the interface, configuring the postage meter machine using a chip card (20) insertable into the reader before delivery of the machine to a use location; and

wherein the interface comprises a chip card reader, including the additional step of transferring print image data for franking imprint from a chip card (20) inserted in the chip card reader into a graphic memory of the machine.

5) Claims 1-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Freytag (US 5,490,077).

Freytag discloses a method for entering contents of a franking imprint into a postage meter machine,

wherein the postage meter machine has: a printer; a microprocessor (5) connected to the reader; a non-volatile, non-removable memory (3) connected to the microprocessor, the non-volatile, non-removable memory containing memory areas for storing data for producing franking imprint; the microprocessor receiving data from the chip card reader from a chip card (10, 13),  
the method comprising the steps of:

storing a set of data in a non-volatile, non-removable memory (3) of the postage meter machine by permanently programming the data at a manufacturing location (the data being country-specific data or different carrier-specific data);

installing a data communication interface (10, 13);

configuring the franking imprint dependent on at least one of a selected carrier and a selected country;

installing a chip card reader as the interface, configuring the postage meter machine using a chip card (10, 13) insertable into the reader before delivery of the machine to a use location;

storing the additional data in the non-volatile, non-removable memory in a non-erasable manner at the manufacturing location, selecting from a plurality of different carrier-specific data by communicating the interface with a country-specific chip card (10) inserted into the reader, setting an inhibit bit in the non-volatile, non-removable memory after removing the chip card;

wherein the additional data includes carrier-specific data and country-specific data, both a carrier-specific selection and country-specific selection are made using the chip card (10, 13);

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a country-specific chip card (10) into the reader and combining country-specific data on the chip card with the permanently stored carrier-specific data;

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a carrier-specific chip card (13) into the reader and combining carrier-specific data on the chip card with the permanently stored country-specific data;

wherein the interface comprises a chip card reader, including the additional step of transferring print image data for franking imprint from a chip card inserted in the chip card reader into a graphic memory of the machine; and

Art Unit: 3629

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a country-specific chip card (10) into the reader and combining country-specific data on the chip card with the permanently stored country-specific data.

6) Claims 1-7 and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Märkl et al. (US 5,710,706).

Märkl et al. discloses a method for entering contents of a franking imprint into a postage meter machine,

wherein the postage meter machine has: a printer; a microprocessor (5) connected to the reader; a non-volatile, non-removable memory (3) connected to the microprocessor, the non-volatile, non-removable memory containing memory areas for storing data for producing franking imprint; the microprocessor receiving data from the chip card reader from a chip card (10),  
the method comprising the steps of:

storing a set of data in a non-volatile, non-removable memory (3) of the postage meter machine by permanently programming the data at a manufacturing location (the data being country-specific data or different carrier-specific data);

installing a data communication interface (10);

configuring the franking imprint dependent on at least one of a selected carrier and a selected country;

Art Unit: 3629

installing a chip card reader as the interface, configuring the postage meter machine using a chip card (10) insertable into the reader before delivery of the machine to a use location;

storing the additional data in the non-volatile, non-removable memory in a non-erasable manner at the manufacturing location, selecting from a plurality of different carrier-specific data by communicating the interface with a country-specific chip card (10) inserted into the reader, setting an inhibit bit in the non-volatile, non-removable memory after removing the chip card;

wherein the additional data includes carrier-specific data and country-specific data, both a carrier-specific selection and country-specific selection are made using the chip card (10);

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a country-specific chip card (10) into the reader and combining country-specific data on the chip card with the permanently stored carrier-specific data;

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a carrier-specific chip card (10) into the reader and combining carrier-specific data on the chip card with the permanently stored country-specific data;



wherein the interface comprises a chip card reader, including the additional step of transferring print image data for franking imprint from a chip card inserted in the chip card reader into a graphic memory of the machine; and

wherein the interface comprises a chip card reader, comprising configuring the postage meter machine at the manufacturing location for a selected country wherein the postage meter machine is to be used by inserting a country-specific chip card (10) into the reader and combining country-specific data on the chip card with the permanently stored country-specific data.

### ***Conclusion***

7) Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 3629


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Woo whose telephone number is 703-308-7830. The examiner can normally be reached on Monday-Friday from 8:30 AM -5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 703-308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-308-3691 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0861.



Richard Woo  
Patent Examiner  
GAU 3629  
January 22, 2003



THOMAS A. DIXON  
PRIMARY EXAMINER